IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 17TH JANUARY 2007 / 27TH PAUSHA 1928

Bail Appl..No. 207 of 2007()

CRMP.2393/2006 of DISTRICT COURT, PATHANAMTHITTA

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: PETITIONER/ACCUSED

BINU HARRIS, AGED 30 YEARS,
S/O.HARRIS, KOCHUKALAYIL VEEDU,
KARIKULAM P.O., RANNY.

BY ADV. SRI.V.SETHUNATH

RESPONDENTS: COMPLAINANT AND STATE

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1. S.I. OF POLICE,
RANNI POLICE STATION.

2. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 17/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 207 of 2007

DATED: January 17 , 2007

O R D E R

Petitioner who is the accused in Crime No.414/06 of Ranni Police Station for offences punishable under Secs.324 and 308 I.P.C., seeks anticipatory bail. The occurrence took place on 15-12-2006 during the course of which the petitioner is alleged to have stabbed the de facto complainant and his father. The motive alleged is that the de facto complainant moved the pickup van of the petitioner in order to clear the traffic obstruction and this was not relished by the petitioner.

2. The learned Public Prosecutor opposed the application submitting inter alia that the weapon of offence is to be recovered and that the petitioner was absconding ever since the occurrence.

3. Eventhough I am not inclined to grant anticipatory bail to the petitioner, I am inclined to give the petitioner an opportunity to surrender before the Investigating Officer and then have his regular bail application disposed of on merits by the Magistrate concerned. Accordingly, the petitioner shall surrender before the Investigating Officer on any day between 18-01-2007 and 20-01-2007 for the

purpose of custodial interrogation and recovery of incriminating materials, if any. Thereafter the petitioner shall be produced on the same day before the Magistrate who is having jurisdiction. The Magistrate shall consider and dispose of the application, if any, filed by the petitioner for regular bail, preferably on the same day on which it is filed.

This petition is disposed of as above.

Sd/-**V.RAMKUMAR, JUDGE**

ani/-

/true copy/

P.A. to Judge.